

# **EXHIBIT 11**

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1 UNITED STATES DISTRICT COURT

2 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

5 IN RE: HIGH-TECH EMPLOYEE )

6 ANTITRUST LITIGATION ) No. 11-CV-2509-LHK

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13 VIDEOTAPED DEPOSITION OF DANIEL STOVER

14 San Francisco, California

15 Monday, October 29, 2012

16 Volume I

20 Reported by:

21 ASHLEY SOEVYN

22 CSR No. 12019

23 JOB No. 1541285

25 PAGES 1 - 298

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1	compensation?	13:27:45
2	A. I wouldn't expect kind of the first contact	13:27:48
3	on a site like LinkedIn that contain specifics of	13:27:52
4	compensation.	13:28:03
5	Q. Why weren't you interested in the position	13:28:23
6	at Adobe?	13:28:25
7	A. So, since 2010 I decided to focus on wood	13:28:31
8	working.	13:28:54
9	Q. Uh-huh. And so you are not interested in	13:28:54
10	technology-related jobs?	13:28:57
11	MS. LEEBOVE: Objection, mistates prior	13:28:58
12	testimony.	13:29:00
13	BY MR. KIERNAN:	13:29:00
14	Q. I'm just trying to understand. I mean, you	13:29:00
15	tell me that you're interested in wood working.	13:29:02
16	Well, that doesn't tell me why you're not interested	13:29:04
17	in a job --	13:29:07
18	A. As a job right now to make money, I'm not	13:29:08
19	interested in technology positions. I'm still	13:29:11
20	interested in technology and I try to keep abreast	13:29:14
21	with, you know, what is going on. And at least know	13:29:17
22	what skills I need to develop, if I had to go back	13:29:20
23	into technology.	13:29:24
24	Q. Are you actively looking for software	13:29:26
25	engineer jobs?	13:29:31

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1 A. I am not. 13:29:33

2 Q. You've mentioned several times "a company 13:29:35

3 like that." What do you mean, when you say that? 13:29:44

4 A. I think, in general, I'm just talking about 13:29:46

5 a company that kind of stands out for me. So a firm 13:29:49

6 like Adobe or Intuit, when you received, you know, a 13:29:55

7 form of somebody trying to recruit you for a 13:29:58

8 position with those -- those firms, in comparison to 13:30:01

9 the kind of random recruiters' who approach you with 13:30:06

10 positions at start ups or, you know, some kind of 13:30:09

11 small unknown companies. A lot of times I may not 13:30:14

12 even read those. I don't pay a lot of attention to 13:30:25

13 those. 13:30:27

14 Q. What are some other companies that fall in 13:30:28

15 the category that you just put Adobe and Intuit 13:30:30

16 in? 13:30:36

17 A. For me, obviously, Google. And, again, I'm 13:30:44

18 specifically talking about firms in Silicon Valley 13:30:50

19 that are kind of there. Google, Intuit, Apple, kind 13:30:53

20 of seminal firms in Silicon Valley. Microsoft. 13:31:04

21 Q. Any others? 13:31:18

22 A. I'm sure there are more. 13:31:20

23 Q. IBM? 13:31:34

24 MS. LEEBOVE: Objection, vague. 13:31:35

25 THE WITNESS: I -- yes, I would put IBM in 13:31:36

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1	that category.	13:31:40
2	BY MR. KIERNAN:	13:31:46
3	Q. What about Oracle?	13:31:46
4	A. So this category you're looking for of jobs	13:31:52
5	that I would be interested in or just kind of firms	13:31:54
6	that --	13:31:57
7	Q. Firms that you'd be interested in. That's	13:31:57
8	what I understood the category that you were	13:31:59
9	describing.	13:32:02
10	A. I didn't describe any. I think more firms	13:32:03
11	that have, kind of, cultural influence or are large	13:32:08
12	enough. Whenever you receive, you know, some	13:32:10
13	type -- somebody contacting you about a position at	13:32:13
14	that firm, it kind of jumps out at the page. So	13:32:16
15	I -- I would distinguish that from I wouldn't apply	13:32:18
16	for a job at IBM or, you know, probably Microsoft,	13:32:22
17	but it would still be something that would kind of	13:32:25
18	stand out for me.	13:32:28
19	Q. So whether a company would stand out, that	13:32:52
20	would depend on an individual's preference; is that	13:32:56
21	right?	13:33:00
22	A. I mean, there's a degree of speculation in	13:33:04
23	that, but I think there's some aspects, the size of	13:33:06
24	the company, cultural influence of the company. So	13:33:10
25	it's not entirely -- it's not entirely on an	13:33:23

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1 that you received in LinkedIn or e-mails? In other 15:43:21  
2 words, did you take those more seriously or -- 15:43:26  
3 A. I would -- I would scan them. 90 percent 15:43:34  
4 or thereabouts were from organizations I wasn't very 15:43:37  
5 interested in or random recruiters. So 15:43:44  
6 occasionally, there may be one from a particular 15:43:49  
7 company that would pop up for me and peak my 15:43:51  
8 interest, but I wasn't really actively looking for 15:43:59  
9 another position while I was working at Intuit, so 15:44:01  
10 those ones that did peak my interest I would note 15:44:04  
11 and probably write them back thanking them. 15:44:08  
12 Q. As you sit here today, do you recall any 15:44:17  
13 that peaked your interest, while you were employed 15:44:19  
14 at Intuit? 15:44:19  
15 A. I don't have any specific recollection. 15:44:23  
16 Q. And -- but you think about 90 percent were 15:44:34  
17 from companies that you weren't interested in, which 15:44:42  
18 would leave about 10 percent of companies that you 15:44:46  
19 may be interested in? 15:44:50  
20 A. As an estimate. 15:44:52  
21 Q. Do you recall any of the companies that 15:44:59  
22 would fall into the ten percent ones that you would 15:45:03  
23 be interested in pursuing a job opportunity? 15:45:06  
24 A. While I was working at Intuit, I would be 15:45:11  
25 guessing at this point. 15:45:22

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1	Q. At any time did you use any information	15:45:24
2	that you learned from a cold call to negotiate	15:45:26
3	higher compensation at Intuit?	15:45:32
4	MS. LEEBOVE: Objection, calls for a legal	15:45:34
5	conclusion.	15:45:37
6	THE WITNESS: The only time I really	15:45:44
7	negotiated for a salary at Intuit was before	15:45:46
8	leaving.	15:45:49
9	MR. KIERNAN: Uh-huh.	15:45:50
10	THE WITNESS: That happened over a period	15:45:50
11	of five months, approximately. So, receiving these	15:45:51
12	cold calls, and in particular, you know, the ten	15:45:55
13	percent of cold calls that are positions that I was	15:45:58
14	interested in, I mean, it provides some motivation	15:46:01
15	for, you know, being able to negotiate a higher	15:46:07
16	salary.	15:46:14
17	BY MR. KIERNAN:	15:46:15
18	Q. And you were negotiating that with Ravi?	15:46:15
19	A. Correct.	15:46:17
20	Q. And did you state to Ravi that -- what's	15:46:20
21	Ravi's last name?	15:46:24
22	A. Mohan.	15:46:26
23	Q. Mohan.	15:46:27
24	Did you state to Mr. Mohan that you	15:46:27
25	received a number of cold calls and you'd like an	15:46:27

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1	increase in your compensation?	15:46:27
2	A. I don't recall specifically doing so. It	15:46:39
3	was common knowledge.	15:46:45
4	Q. Com- -- what was common knowledge?	15:46:46
5	A. That -- kind of these recruitment efforts	15:46:47
6	were always going on.	15:46:49
7	Q. While you were employed at Intuit, do you	15:46:52
8	recall the recruitment efforts from other companies	15:46:57
9	increasing, decreasing, remaining the same?	15:47:02
10	MS. LEEBOVE: Objection, vague and	15:47:07
11	ambiguous, compound.	15:47:09
12	THE WITNESS: As I stated already, there's,	15:47:13
13	you know, particular settings you can do it with	15:47:14
14	LinkedIn to make your profile as someone who was	15:47:16
15	looking for a job or not looking for a job. I don't	15:47:20
16	recall exactly when I may have changed those. It's	15:47:24
17	most definitely a -- quite a bit of change,	15:47:26
18	depending on how I had published myself.	15:47:30
19	BY MR. KIERNAN:	15:47:35
20	Q. Do you recall while you were working at	15:47:35
21	Intuit, whether you had changed that setting on	15:47:37
22	LinkedIn from actively looking to not actively	15:47:40
23	looking?	15:47:48
24	A. I have no specific recollections.	15:47:49
25	Q. With respect to the, approximately, 40 or	15:47:53

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1 STATE OF CALIFORNIA ) ss:

2 COUNTY OF MARIN )

3

4 I, ASHLEY SOEVYN, CSR No. 12019, do hereby  
5 certify:

6 That the foregoing deposition testimony was  
7 taken before me at the time and place therein set  
8 forth and at which time the witness was administered  
9 the oath;

10 That the testimony of the witness and all  
11 objections made by counsel at the time of the  
12 examination were recorded stenographically by me,  
13 and were thereafter transcribed under my direction  
14 and supervision, and that the foregoing pages  
15 contain a full, true and accurate record of all  
16 proceedings and testimony to the best of my skill  
17 and ability.

18 I further certify that I am neither counsel for  
19 any party to said action, nor am I related to any  
20 party to said action, nor am I in any way interested  
21 in the outcome thereof.

22 IN THE WITNESS WHEREOF, I have transcribed my  
23 name this 2nd day of November, 2012.

24

25



ASHLEY SOEVYN, CSR 12019

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